

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

**FILED - GR**

February 10, 2016 11:00 AM

CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: clp/ SCANNED BY: clp 2/10

STEPHEN E. PODEWELL,

Plaintiff,

v.

Case No. 1:15-CV-432

TEAM SCHOSTAK, APPLEBEES  
RESTAURANT,

HON. GORDON J. QUIST

Defendants.

Plaintiff's Response to Defendant's filed motion for Summary Judgment:

Honorable Judge Quist,

**I request that the Defendant's second motion for Summary Judgment be denied.** The e-mail sent to Applebee's Attorney, Sandy Densham is copied on the next page.

This matter should be settled as a matter of law at the Settlement Conference scheduled for Wednesday, February 14, 2016. The Defendants caused harm both physically and mentally to me, the Plaintiff. That is not in question. They, Applebee's manager and attorney, have admitted Applebees Restaurant's wrong doing. The settlement conference should proceed, as a matter of law, for the court's determination of the amount of the damages that the Defendant must pay to the Plaintiff. My family and I went to Applebee's to eat what we perceived would be good, clean, healthy food. What was served was to the contrary. The pain, stress, anxiety, mental anguish, sleep deprivation, physical discomfort, and broken teeth caused to my body by Applebee's Restaurant is worth far in excess of \$1 million dollars. I find that that Applebee's attorney caused my family further mental anguish by somehow trying to place the blame on us. My family and I are a family where honor and integrity are of the highest importance. I reject their (Applebee's and attorney's) actions.

Sincerely,

*Stephen E. Podewell* February 9, 2016  
Stephen E. Podewell